

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RUSSELL S. GRANT,

Plaintiff,

v.

D. RIOS,

Defendant.

Case No. 1:20-cv-00908-JLT-EPG (PC)

ORDER CONVERTING IN PERSON
EVIDENTIARY HEARING TO A ZOOM
EVIDENTIARY HEARING

ORDER DIRECTING CLERK TO SEND A
COPY OF THIS ORDER TO THE SHERIFF
OF AUBURN JAIL

Russell Grant ("Plaintiff") is a prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983.

On June 13, 2022, the Court set an in-person evidentiary hearing. (ECF No. 51). On July 19, 2022, the Court issued an Order and Writ of Habeas Corpus ad Testificandum directed to the Sheriff of Auburn Jail in order to secure Plaintiff's attendance at the hearing. (ECF No. 52). After the Order was issued, the Court was contacted by staff at Auburn Jail, requesting that the hearing be held via video conferencing instead. Defense counsel agreed to a remote hearing.

In light of this, as well as the fact that Plaintiff would have to be transported from Auburn Jail to Fresno for an evidentiary hearing, the Court will hold the evidentiary hearing via Zoom videoconference instead of in person.

Accordingly, IT IS ORDERED that:

1. The evidentiary hearing that is set for August 19, 2022, at 10:00 a.m. will be held via Zoom videoconferencing.

2. The Order and Writ of Habeas Corpus ad Testificandum (ECF No. 52) is modified as follows: the Sheriff of Auburn Jail is directed to produce Russell S. Grant, #P00298026/T60450, before Magistrate Judge Erica P. Grosjean on August 19, 2022, at 10:00 a.m., via Zoom video conferencing.
3. The parties and staff at Auburn Jail shall contact Courtroom Deputy Michelle Rooney (mrooney@caed.uscourts.gov) for the Zoom video conference connection information. Defendant is responsible for providing the connection information to the witnesses he intends to call.
4. Within seven days from the date of service of this order, the parties shall send a hard-copy of all exhibits they intend to introduce at the evidentiary hearing to the Court and the opposing party, if they have not already done so. Each exhibit shall be labeled. However, Plaintiff is not required to send exhibits that were submitted in support of, or in opposition to, Defendant's motion for summary judgment.
5. The Clerk of Court is directed to serve a copy of this order on the Sheriff of Auburn Jail.

IT IS SO ORDERED.

Dated: July 28, 2022

/s/ Erica P. Grosjean
UNITED STATES MAGISTRATE JUDGE